

SECRET
BEST AVAILABLE COPY

SR/O/AC-65-116
9 August 1965

MEMORANDUM FOR: Chief, SR

SUBJECT : Heine-Raus Case

REFERENCE : OGC Memo for Record dated 20 July 1965 (copy attached)

1. Reference memorandum records a meeting at the Department of Justice involving () of OGC and the cleared attorneys retained to defend Raus at Agency expense.

2. On 26 July I discussed paragraph 3 of this memorandum with () making the point that the first sentence did not appear to me to be accurate. I stated that Raus, the defendant in the case, had never been an agent of SR Division but merely an unpaid casual informant, and that we had no agent relationship of any kind which requires protection. Further, the question of Agency concern over being mentioned in this suit was not a matter for SR Division to determine, nor had we ever attempted to recommend a course of action which would protect the Agency in this respect. In fact, when Mr. Helms was briefed on this case on 31 December 1964 he indicated that he was not overly concerned about the possibility that CIA might be mentioned during the trial as the source of Raus' information that Heine was suspected of being a Soviet agent.

3. () asked me how it had been originally decided to request intervention of the Department of Justice in order to cut off possible efforts on the part of Heine's counsel to determine the source of Raus' information. I advised him that the impetus had come from () of OGC (since resigned from the Agency) who had initially explored this matter on his own through informal talks with a Justice Department officer. () and I assumed that OGC considered this to be an appropriate step, particularly since Larry Houston had asked () to follow up on it during a 13 May meeting which () and I attended for SR Division.

4. () informed me that Larry Houston had briefed Mr. Fitzgerald on the case a few days before, with particular reference to the question of Justice intervention. Mr. Fitzgerald stated

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCE METHOD EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2006

SECRET

SECRET

- 2 -

that he did not want to involve Justice in the case in any way, thus the question has now become academic. Further, he did not feel it necessary to review the matter with Mr. Helms nor to bring him up to date on the status of the case.

[C/SR/O/AC]

Attachment: As stated

Distribution:
Orig. and 1 - addressee

BEST AVAILABLE COPY

SECRET